

IN THE UNITED STATES BANKRUPTCY COURT FOR  
THE DISTRICT OF PUERTO RICO

IN RE:

CASE NO: 10-06528 (MCF)

MOISES MARTINEZ PAGAN

CHAPTER 13

ASSET CASE

Debtor

**DEBTOR'S OBJECTION TO CLAIM # 2-1 FILED BY PR ADQUISITIONS, LLC**

**TO THE HONORABLE COURT:**

**COMES NOW** debtor, represented through its undersigned counsel and respectfully objects proof of claim number 2-1 filed by PR Acquisitions., LLC in the amount of \$4,862.86 and assigns the following reasons for the same:

- 1) The proof of claim does not comply with Federal Rule of Bankruptcy Procedure 3001(c) because the claim is based on an alleged money loan, but no supporting documents are attached to the proof of claim.
- 2) The proof of claim filed fails to provide account transaction summary or other information that would show how the total amount claimed has been calculated. An itemization of the principal balance of the debt, interest and other charges (if any) is not attached to the proof of claim, as required by the instructions to Official Form 10.
- 3) The only document attached to the claim form is a "Bill of Sale and Assignment of Assets", which fails to provide any information related to the alleged debt
- 4) Debtor has not listed the claim, and does not acknowledge it.
- 5) As a result of PR Acquisitions., LLC's failure to comply with Federal Rule of Bankruptcy Procedure 3001(c), its proof of claim is not entitled to prima facie validity.
- 6) PR Acquisitions., LLC is a buyer of debts that repeatedly files undocumented, unsubstantiated proofs of claims in this Court. In this case only, it has filed 2 claims in this manner (Claim 1-1 & 2-1), in violation of Federal Rule of Bankruptcy Procedure 3001(c).

WHEREFORE debtor respectfully requests of this Honorable Court to disallow the proof of claim filed by PR Acquisitions., LLC, and order such other and further relief as is just and proper.

**NOTICE:** Within thirty (30) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this Motion has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this Motion with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the Motion will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

In San Juan P R this 27<sup>th</sup> day of September, 2010.

**CERTIFICATE OF SERVICE:** I hereby certify that on this same date I have electronically filed this Motion with the Clerk of the Court using the CM/ECF System which sends notifications of such filings to registered parties, Chapter 13 Trustee and US Trustee Monsita Lecaroz [ustpregion21.hr.ecf@usdoj.gov](mailto:ustpregion21.hr.ecf@usdoj.gov). I further certify that I have served copy of this document thereof in the US Mail to **PR Aqduisitions LLC**, 250 Muñoz Rivera Avenue Suite 1200, Hato Rey, Puerto Rico 00918, non CM/ECF participants, and to all parties in interest as per the attached master address list, copy of which is attached to this document.

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0104-2  
Case 10-06528-MCF13  
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